

**BEFORE THE BOARD OF DENTAL EXAMINERS
OF THE STATE OF IOWA**

IN THE MATTER OF:)

FREDERIC R. FISCHER, D.D.S.)
1706 17th)
Spirit Lake, IA 51360)

**STIPULATION AND
CONSENT ORDER**

License #6108)

Respondent)

On this 13th day of March, 2003, the Iowa Board of Dental Examiners and Frederic R. Fischer, D.D.S., each hereby agree with the other and stipulate as follows:

The disciplinary hearing scheduled to commence before the Iowa Board of Dental Examiners on the 16th day of April, 2003, on the allegations specified in the Statement of Charges which is attached to the Notice of Hearing dated January 24, 2003, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That Respondent was issued a license to practice dentistry in the state of Iowa on the 4th day of June, 1976, as evidenced by License Number 6108 which is recorded in Book D, Page 8, of the permanent records in the office of the Iowa Board of Dental Examiners.

2. That Iowa Dental License Number 6108 is current and on active status until June 30, 2004.
3. That the Iowa Board of Dental Examiners has jurisdiction over the parties and subject matter herein.
4. A Notice of Hearing and Statement of Charges was filed against Respondent on January 24, 2003.

THEREFORE, IT IS HEREBY ORDERED that Respondent's license to practice dentistry in the State of Iowa shall be placed on probation for a period of five (5) years effective with the date of this Order.

SECTION I.

CLINICAL ASSESSMENT
REMEDIAL EDUCATION

- a) Within sixty (60) days of the date of this Order, the Respondent shall undergo a clinical assessment in periodontal diagnosing and treatment planning by a college of dentistry prior approved by the Board, to determine Respondent's level of competency. The evaluating college shall report directly to the Board, with a copy to Respondent, the results of the assessment. The college shall in addition prepare a proposed course of study to address any concerns identified in the Board's Statement of Charges and any concerns identified in the assessment. The Board shall forward to the evaluating college, prior to the assessment, the Board's file relating to the Statement of Charges. This assessment and proposed course of study shall be taken at the expense of Respondent.

- b) Respondent agrees to suspend his practice of dentistry until further Order of the Board if the Board determines the results of the assessment lead to the reasonable conclusion that to allow the Respondent to continue to practice would pose an imminent threat to the public's health, safety and welfare. In the event of suspension, Respondent agrees to remain under suspension until such time as he demonstrates to the satisfaction of the Board that he has attained competence in the practice of dentistry. At such time, the Board shall issue an Order granting the Respondent the right to resume his practice of dentistry. In the event the Board determines from the information received that Respondent is not competent to practice dentistry the Board may impose restrictions on Respondent's practice and/or additional remedial education and testing as may be necessary to achieve the Respondent's competency.
- c) The Respondent shall successfully complete the assessing college's recommended course of study, which shall be taken at an accredited dental school prior approved by the Board. The course of study shall be prior approved by the Board. Following completion of the course of study, Respondent shall advise the supervising faculty to contact the Board to verify that the Respondent has completed the course of study. The verification from the college shall include a written report relative to Respondent's successful completion of the program, a narrative evaluation of his participation in the program, and any other information relative to Respondent's abilities in the practice of dentistry and any recommendations regarding Respondent's future practice. Respondent agrees to comply with any future

practice recommendations. This course of study shall be taken at the expense of Respondent.

- d) The Board shall review the report from the college to determine if the Respondent has successfully completed the course of study.
- e) The course of study shall be successfully completed within six (6) months of the date of this Order.
- f) All costs associated with the assessment and course of study shall be the sole responsibility of Respondent.
- g) Respondent shall successfully complete a Board-approved course in record keeping within sixty (60) days of the date of this Order.

SECTION II.

PROBATIONARY CONDITIONS

- a) The Respondent shall fully cooperate in announced or random unannounced reviews or evaluations by the Board or agents of the Board relative to this Order.
- b) The Respondent shall make monthly reports to the Board with respect to his practice and detailing his compliance with the terms of this Order for six (6) months from the date of this Order. Following this six (6) month period Respondent shall thereafter make quarterly reports to the Board for the remainder of the probationary period.
- c) The Respondent shall upon reasonable notice, and subject to the waiver provisions of Board rule 650 Iowa Administrative Code 31.6, appear before the Board at the time and place designated by the Board.

- d) Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs, including mileage and expenses incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit for such costs.
- e) If Respondent moves to another state, he shall notify the Board fourteen (14) days prior to his departure.

SECTION III.

- a) The Respondent acknowledges that he has read in its entirety the foregoing Stipulation and Consent Order and that he understands its content and that he executed the Order freely and voluntarily.
- b) Respondent agrees this Stipulation and Consent Order constitutes the resolution of a pending contested case. By entering into this Stipulation and Consent Order, the Respondent voluntarily waives any right to a contested case hearing on allegations contained in the Statement of Charges, and waives any objections to the terms of this Stipulation and Consent Order.
- c) Respondent acknowledges that he has the right to be represented by counsel in this matter.
- d) The Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
- e) The Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.

- f) The Respondent acknowledges that no member of the Board, nor ~~any employee~~, nor attorney for the Board, has coerced, intimidated, or pressured him, in any way whatsoever, to execute this Order.
- g) The Respondent acknowledges that this proposed settlement is subject to approval of a majority of the full Board. If the Board fails to approve this proposed settlement, it shall be of no force or effect to either party.
- h) Respondent shall fully and promptly comply with all Orders of the Board and the statutes and rules regulating the practice of dentistry in Iowa. Any violation of this Order is grounds for further disciplinary action, upon notice and opportunity for hearing, for failure to comply with an Order of the Board, in accordance with Iowa Code Section 272C.3(2)(a) (2001).
- i) The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board.

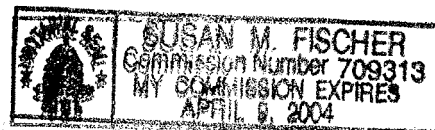
This Stipulation and Consent Order is voluntarily submitted on this 30 day of

March, 2003.

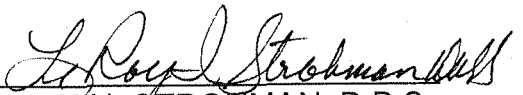
Frederic R. Fischer
Frederic R. Fischer, D.D.S.
Respondent

Subscribed and Sworn to before me on this 30 day of March, 2003.

Susan M. Fischer
Notary Public in and for
the State of Iowa



This Stipulation and Consent Order is accepted by the Iowa Board of Dental
Examiners on this 13th day of March, 2003.


LEROY I. STROHMAN, D.D.S.
Chairperson
Iowa Board of Dental Examiners
400 S.W. 8th, Suite D
Des Moines, IA 50309

cc: Theresa O'Connell Weeg
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, IA 50319